



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Wilson & Wilson Holdings LLC,

Plaintiff,

-against-

DTH, LLC et al.,

Defendants.

1:22-cv-02941 (PGG) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

It is hereby Ordered that, no later than June 21, 2023, Plaintiff shall serve any response to the motion by its counsel, Joseph Kohn, John Remmington, Gabriela Timis and Kirti Reddy of Quarles & Brady LLP (“Quarles”), to withdraw.¹ (See Mot. to Withdraw, ECF No. 99.) Plaintiff shall provide a copy of any response to Quarles and Quarles shall file any response on the ECF docket immediately upon receipt.

Plaintiff is hereby advised that an LLC cannot appear *pro se* in this Court. See *Jones v. Niagara Frontier Transp. Auth.*, 722 F.2d 20, 22 (2d Cir. 1983) (“[I]t is established that a corporation, which is an artificial entity that can only act through agents, cannot proceed *pro se*.”). Thus, if Quarles is permitted to withdraw as counsel, and no successor counsel appears, Plaintiff’s case may be dismissed for failure to prosecute. See *Glob. Auto, Inc. v. Hitrinov*, No. 13-CV-02479 (SLT) (RER), 2015 WL 5793383, at *5 (E.D.N.Y. Sept. 30, 2015) (“District courts in this Circuit have exercised their discretion to dismiss an action for failure to prosecute where a

¹ Quarles served Plaintiff with its moving papers on May 19, 2023. (See Kohn Decl., ECF No. 100, ¶ 10.)

corporate plaintiff fails to obtain counsel after being directed to do so and being warned of the consequences of inaction.”).

It is further Ordered that, no later than May 25, 2023, Quarles shall serve a copy of this Order on Plaintiff and file proof of service on the ECF docket. The deadlines set forth in the Court’s May 15, 2023 Order (ECF No. 97) are adjourned *sine die*.

SO ORDERED.

Dated: New York, New York
May 22, 2023

A handwritten signature in dark ink, appearing to read "Stewart D. Aaron", is written above a horizontal line.

STEWART D. AARON
United States Magistrate Judge